

Congress of the United States

Washington, DC 20515

April 27, 2023

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Director Shalanda D. Young
Office of Management and Budget
725 17th Street NW
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Director Robert Santos
U.S. Census Bureau
4600 Silver Hill Road
Hillcrest Heights, MD 20746

Bob Sivinski
Chair
Interagency Technical Working Group on Race and Ethnicity Standards
1650 17th St.
NW, Washington, DC 20500

RE: Office of Management and Budget Docket No. OMB-2023-0001 “Initial Proposals for Updating Race and Ethnicity Statistical Standards”

Dear Director Young, Director Santos, and Chair Sivinski:

As duly elected Members of Congress, we applaud your effort to revise how information about race and ethnicity is collected across federal agencies. Specifically, we appreciate your efforts to modernize information intake on the Census questionnaire. In order to mitigate undercounts among the Latino population in a manner supported by the Latino community at large, we respectfully request that you extend your comment period another thirty days to allow for greater stakeholder engagement on this important issue. Additionally, we suggest greater consideration for how Black Latino populations are tabulated and reported.

I. Background:

The U.S. Census Bureau has collected data on race since the first census in 1790 and on Hispanic or Latino origin since the 1970 Census. For too long, the multifaceted experience of Hispanics and Latinos in the United States has not been adequately accounted for. In the 1930 Census, for example, “Mexican” was the only option for a person to indicate they were Latino.¹ In 1970, the Census made its first major attempt to accurately count the Latino population in the United States by asking a sample population, “Is this person’s origin or descent—” with the response categories “Mexican,” “Puerto Rican,” “Cuban,” “Central or South American,” “Other Spanish,” and “No, none of these.”² Since then, changes have been made to address the multilayered

¹ Cohn, D. V. (2020, May 30). *Census history: Counting hispanics*. Pew Research Center's Social & Demographic Trends Project. Retrieved

April 17, 2023, from <https://www.pewresearch.org/social-trends/2010/03/03/census-history-counting-hispanics-2>

² *Id.*

identities and experiences of Hispanics and Latinos in the United States.³ For example, the 2020 census included two changes to the Hispanic origin question, 1) the instruction to “Print origin, for example” was revised to “Print, for example” to better understand the question and 2) the example groups were revised from “Argentinian, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on.” to “Salvadoran, Dominican, Colombian, Guatemalan, Spaniard, Ecuadorian, etc.” in order to represent the largest Hispanic origin population groups and the geographic diversity of the Hispanic or Latino category.

In the 2020 Census, marginalized groups were significantly undercounted, with Latinos being left out at a rate three times higher than in the previous decade.⁴ Analysts have cited the Trump administration’s attempt to include a citizenship question on the Census, as well as challenges associated with the coronavirus pandemic, as the main factors contributing to the undercount.⁵ An undercount on the census can prevent people in vulnerable and underserved communities from receiving adequate resources such as Supplemental Nutrition Assistance Programs, Head Start, Temporary Assistance for Needy Families, and so much more. As such, we are glad that the Biden administration is working to address the previous undercount. It is vital that the government captures an accurate picture of all demographics to ensure adequate resource allocation to traditionally underrepresented communities.

II. Race and Ethnicity in Latin America

The history of Latin America is closely related to U.S. occupation, European colonization, conquest, and slavery. The latter consisted of the enslavement of part of the indigenous population and, in particular, of African people trafficked in Latin America and the Caribbean. As slavery and lingering racism have left an indelible mark on Afro-Latinos, so too has the long but little-known legacy of black rebellion and self-liberation (marronage). The first slave rebellions occurred in Puerto Rico (1514) and Hispaniola (1522). By the 17th century, maroons (escaped slaves) in Latin America have been estimated to have numbered between 11,000 and 30,000.⁶ Maroons formed communities with sovereign territoriality in remote terrains with low population densities that now constitute the prominent Afro-Latino areas of eastern and northern South America, Central America, and the Caribbean. According to the Brazilian Ministry of Culture, there are at least 1,098 quilombola (escaped slaves) communities in Brazil today. Afro-descendant communities in Honduras and Nicaragua are generally rural communities descended from escaped slaves who immigrated to Central America from the Caribbean in the 17th and 18th centuries. Many of those communities, particularly the Garifuna in Honduras, have

³ *Id.*; Marks, R. (2021, October 8). *Improvements to the 2020 census race and Hispanic origin question designs, data processing, and coding procedures*. The United States Census Bureau. Retrieved April 17, 2023, <https://www.census.gov/newsroom/blogs/random-samplings/2021/08/improvements-to-2020-census-race-hispanic-origin-question-designs.html>

⁴ Wang, H. L. (2022, March 11). *The 2020 census had big undercounts of black people, Latinos and Native Americans*. NPR. Retrieved April 17, 2023, from <https://www.npr.org/2022/03/10/1083732104/2020-census-accuracy-undercount-overcount-data-quality>

⁵ *Id.*

⁶ Howard Dodson, "The Transatlantic Slave Trade and the Making of the Modern World," in *African Roots/African Cultures: Africa in the Creation of the Americas*, Sheila Walker, ed. (Maryland: Rowman and Littlefield Publishers, 2001); Hillary Mayell, "Re-Examining U.S. Slaves' Role in Their Emancipation," *National Geographic News*, December 6, 2002.

developed distinct racial, cultural, and political identities based on communal land ties in areas that are geographically isolated from the rest of their country's populations.

Afro-Latino people and indigenous people are often mistreated in Latin America. In Mexico, Afro-Mexicans were not officially recognized on the census until 2015. In Guatemala, there was a civil war throughout the 1980s that resulted in the genocide of the Mayan people. If we ignore this and say, “we’re all Latinos, and we’re the same,” we ignore the reality that Latinos are a vast and diverse group of people with varying life experiences.

III. Race and Ethnicity in U.S. Latinos

The Census Bureau uses the race and ethnicity categories established by the White House Office of Management and Budget in 1997. Under these rules, Hispanic/Latino is not a race but an ethnicity and includes anyone with origins from the Caribbean, Central or South America -- except Brazil Hispanic/Latino people can be one or more of the following races: White, Black, Native American, Asian, or Pacific Islander, or any combination of these races. Many in the Latino community do not feel they fit into any of the five racial categories, and in Census 2010, so many rejected all five categories that “Some Other Race” became the third largest category after “Black” and “White.”

Since the 1930s, the counting of Hispanic/Latino people has been complicated not only by the Census rules but also by the Census’ approach in conducting outreach to non-English speaking communities. The 1970 Census brought this to light by undercounting Hispanics/Latinos in the southwestern states, including California. Since then, the Census Bureau has issued forms in multiple languages to prevent a similar undercount.

Most recently, the Pew Research Center published a study in which 62% of adult Latinos said that having darker skin limits chances of success in the United States, and Latinos with whiter skin had better chances. This is important to know and understand because we cannot continue hiding the racial differences and outcomes that exist in Hispanic/Latino communities. The discussion on race in Hispanic/Latino communities is very complex and should be carefully considered.

As our Latino population increases, we must reconsider how we collect survey data not only from Latinos but also from the many others in our richly diverse U.S. society, including the growing population of individuals who are of mixed race and ethnicity. This is especially important for the US Census Bureau and for the Office of Management and Budget (OMB), being that this federal entity mandates the racial and ethnic categories used in all federal surveys and statistical reporting. Getting these racial and ethnic categories right is critical because they guide policy and affect communities through federal funding allocations, congressional redistricting, state and local budgets, and data-driven business and research decisions.

IV. Request to Extend Comment Period Deadline

In order to mitigate undercounts among the Latino population in a manner supported by the Latino community at large, we respectfully request that you extend your comment period another thirty days to allow for greater stakeholder engagement on this important issue. While the proposals are preliminary and do not reflect the settled opinions of the *Federal Interagency Technical Working Group on Race and Ethnicity Standards*, we believe that Legacy Latino Organizations need additional time to put forth alternatives that uphold respect for individual dignity to guide the processes and methods for collecting data on race and ethnicity. If the current proposals are adopted, it has the potential to nullify our ability to conduct intersectional analysis. This is critical as intersectional analysis allows us to interrogate racial differences in discrimination in voting rights, fair housing, equal employment, health care access, etc. and protect civil rights—an issue that disproportionately impacts Latinos of African race. Again, we commend your efforts to improve data collection of all racial backgrounds but feel strongly that additional time is needed to deliberate the best path forward.

We respectfully request that further testing be conducted that will involve more Afro-Latino populations as samples and to have meaningful engagement with Afro-Latino organizations and scholars that can help ensure the Black Latino count does not arbitrarily decrease further. Any alternate format must provide an accurate and effective way to categorize the nation's growing Black Hispanic/Afro-Latino populations in ways that the existing two separate questions that ask for one's race and ethnicity presently do.

However, we suggest that any form that includes nationality as examples of racial categories, as the Census 2020 did, should not only be modified to include Latin American nations but also revise the Black category from “Black or African American” to “Black or African American or Afro/Black Latino” to invite Black Latinos to identify with the addition of pull-out nationalities. Such nationalities should also include nations traditionally considered to be part of Latin America, such as the Dominican Republic, Colombia, Cuba, El Salvador, Ecuador etc. If Black Latino populations are properly tabulated and reported, it will be immensely powerful in identifying the racial disparities they experience distinctly from non-Black Latinos and strengthen civil rights enforcement.

V. Conclusion

We know the status quo is not working for our communities, and we hope these meaningful discussions will alleviate a severe undercount on the previous Census. Thanks to your diligent work and efforts, the United States is on track to better capture the composition of the United States, including the Latino community.

We look forward to your partnership. Thank you for your diligent work on this matter.

Sincerely,



Adriano Espaillat
Member of Congress



Ritchie Torres
Member of Congress



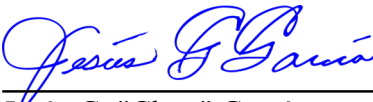
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Alexandria Ocasio-Cortez
Member of Congress



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Member of Congress



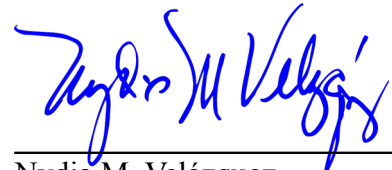
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Member of Congress



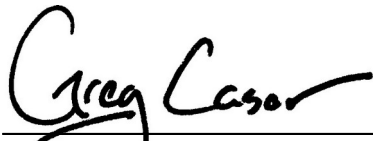
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Terri A. Sewell
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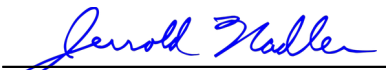
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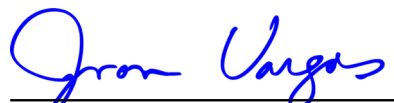
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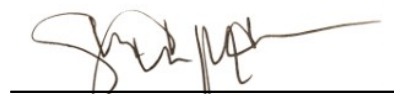

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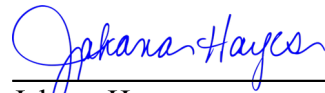

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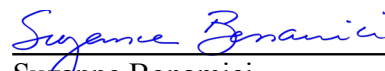
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